

tion to it, the public service commission, after hearing held upon notice to such owner and all parties interested, shall by order determine the necessity of taking such lands or interest therein. Such order shall be subject to review in the manner prescribed by chapter 227. Any condemnation of lands pursuant to the provisions of this subsection shall be conducted in accordance with the procedure and the requirements prescribed by sections 32.04 to 32.14, inclusive.

SECTION 3. 32.07 (4) of the statutes is created to read:

32.07 (4) The determination of the public service commission of the necessity of taking any undeveloped water power site made pursuant to the provisions of section 32.03 (3) shall be conclusive.

Approved July 22, 1947.

No. 319, A.]

[Published July 25, 1947.]

#### CHAPTER 424.

AN ACT to create 151.07 of the statutes, relating to dangerous drugs and providing penalties.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

151.07 of the statutes is created to read:

151.07 DANGEROUS DRUGS. (1) As used in this section, unless the context otherwise requires:

(a) "Dangerous drug" means any drug unsafe for self-medication and shall be limited at the time of the effective date of this act to include:

1. Barbiturates, the salts and derivatives of barbituric acid, also known as malonylurea, having hypnotic or somnifacient action, and compounds, preparations and mixtures thereof.

2. Sulfonamides or derivatives, compounds or mixtures thereof.

3. Thyroid and its contained or derived active compounds or mixtures thereof.

4. Cinchophen, neocinchophen, or compounds or mixtures thereof.

5. Aminopyrine, or compounds or mixtures thereof.

6. Amphetamine, desoxyephedrine, or compounds or mixtures

thereof, except preparations for use in the nose and unfit for internal use.

7. Diethyl-stilbestrol, or compounds or mixtures thereof.

8. Ergot, cotton root or their contained or derived active compounds or mixtures thereof.

9. No compound, mixture, or preparation shall be deemed a dangerous drug if, in the case of barbiturates, it contains a sufficient quantity of another drug or drugs in addition to the salts or derivatives to cause it to produce an action other than its hypnotic or somnifacient action, or if it is intended for use as a spray or gargle or for external application and contains, in addition to such salts or derivatives some other drug or drugs rendering it unfit for internal administration, or if it is designed for the purpose of treating animals or poultry and so labeled.

(b) "Delivery" means selling, dispensing, giving away or supplying in any other manner.

(c) "Patient" means the individual for whom dangerous drugs are prescribed or to whom dangerous drugs are administered.

(d) "Person" includes an individual, corporation, partnership or association.

(e) "Practitioner" means a person licensed by law to prescribe and administer dangerous drugs.

(f) "Pharmacist" means a person duly registered with the state board of pharmacy as a compounder, dispenser and supplier of drugs.

(g) "Prescription" means a written order by a practitioner for a dangerous drug for a particular patient, which specifies the date of its issue, the name and address of such practitioner, the name and address of the patient, the name and quantity of the dangerous drug prescribed, directions for use of such drug and the signature of such practitioner.

(h) "Manufacturer" means persons other than pharmacists who manufacture dangerous drugs, and includes persons who prepare such drugs in dosage forms by mixing, compounding, encapsulating, entableting, or other process.

(i) "Wholesaler" means persons engaged in the business of distributing dangerous drugs to persons included in any of the classes named in subsection (8).

(j) "Warehouseman" means persons who store dangerous drugs for others and who have no control over the disposition

of such dangerous drugs except for the purpose of such storage.

(2) No person except a practitioner shall deliver any dangerous drug except upon prescription of a practitioner.

(3) No person, except a registered pharmacist or a practitioner shall prepare, compound, dispense or prepare for delivery for a patient any dangerous drug.

(4) No dangerous drug shall be delivered unless there is affixed to the immediate container a label disclosing:

(a) The name and address of the owner of the establishment from which such drug was delivered.

(b) The date on which the prescription for such drug was filled.

(c) The number of such prescription as filed in the prescription file of the pharmacist who filled such prescription.

(d) The name of the practitioner who prescribed such drug.

(e) The name and address of the patient.

(f) Directions for use of the drug as contained in the prescription.

(5) No prescription for a dangerous drug shall be refilled except as designated on such prescription, and unless accurate record of such refilling is entered on such prescription showing the date and amount thereof.

(6) A practitioner may prescribe a dangerous drug by telephone in case of an emergency, but within 72 hours thereafter shall furnish a written prescription to the pharmacist who filled the same.

(7) It shall be unlawful for any person to have any dangerous drug in his possession unless such drug was obtained in compliance with the provisions hereof.

(8) The provisions of subsections (2), (3), (4) and (7) shall not be applicable to the wholesale delivery of dangerous drugs to persons included in any of the classes hereinafter named; nor to the agents or employees of such persons for use in the usual course of their business or practice or in the performance of their official duties, as the case may be; nor to the possession of dangerous drugs by such persons or their agents or employees for such use:

(a) Pharmacists.

(b) Practitioners.

(c) Persons who procure dangerous drugs for the purpose of lawful research, teaching or testing and not for resale.

(d) Hospitals and other institutions which procure dangerous drugs for lawful administration by practitioners.

(e) Officers or employes of the federal government or state or local governments.

(f) Manufacturers and wholesalers.

(9) The state board of pharmacy is hereby authorized to promulgate necessary regulations for administration and enforcement of this section.

(10) Any person who violates any provision of this section shall be imprisoned not more than one year or fined not more than \$500, or both; but if a further violation is committed after a conviction of such person under this section has become final, such person shall be imprisoned not more than 2 years or fined not more than \$1,000, or both.

(11) If any provision of this section is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the section and the applicability thereof to other persons or circumstances shall not be affected thereby.

Approved July 22, 1947.

No. 339, A.]

[Published July 26, 1947.

### CHAPTER 425.

AN ACT to amend 202.06 (1) and (2) and 202.085 (Standard Town Mutual Policy form) (Face of Policy) and (Standard Provisions and Conditions) (Material under subheading "Permits") of the statutes, relating to on and temporarily off the premises coverage of machinery, implements, tools, vehicles, livestock and farm products under the standard town mutual policy.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 202.06 (1) and (2) of the statutes are amended to read:

202.06 (1) Town mutuals shall not insure real property outside of their territory unless on land owned by a member of the company immediately adjoining and contiguous to land within the territory of the company owned by the same member